

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DISTRICT**

PFIZER INC.,)	
PFIZER IRELAND PHARMACEUTICALS,)	
WARNER-LAMBERT COMPANY, and)	
WARNER-LAMBERT COMPANY LLC,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 08 C 7231
)	Consolidated for all purposes with
)	C.A. No. 09-cv-6053
APOTEX INC., and)	Judge Robert M Dow, Jr.
APOTEX CORP.,)	
)	
Defendants.)	
)	
)	

**DECLARATION OF DANIEL C. MULVENY ESQ. IN SUPPORT OF PLAINTIFF
PFIZER'S OPPOSITION TO APOTEX INC. AND APOTEX CORP.'S
MOTION TO COMPEL DISCOVERY**

I, Daniel C. Mulveny, Esq., hereby declare as follows:

1. I am an attorney with Connolly Bove Lodge & Hutz LLP, counsel of record for Plaintiffs Pfizer Inc., Pfizer Ireland Pharmaceuticals, Warner-Lambert Company, and Warner-Lambert Company LLC (collectively "Pfizer" or "Plaintiffs") in this action. I make this declaration in support of Pfizer's Opposition to Apotex Inc. and Apotex Corp.'s Motion to Compel Discovery.

2. A true and correct copy of the Addendum to the Brief in Support of Plaintiffs' Motion to Stay in *Pfizer et al. v. Apotex et al.*, C.A. No. 08-7231, filed March 16, 2009, in the Northern District of Illinois, is attached hereto as Exhibit A.

3. A true and correct copy of a printout from Ranbaxy's website, set forth at <http://www.ranbaxy.com/news/newsdisp.aspx?cp=890&flag=ARC>, entitled "Ranbaxy and Pfizer

Settle Lipitor Patent Litigation Worldwide,” issued June 18, 2008, is attached hereto as Exhibit B.

4. A true and correct copy of a printout from the United States Federal Trade Commission (“FTC”) website, set forth at <http://www.ftc.gov/os/2004/01/040106pharmrules.pdf>, entitled “Medicare Prescription Drug and Improvement Act Requires Drug Companies to File Certain Agreements with the Federal Trade Commission and U.S. Department of Justice,” is attached hereto as Exhibit C.

5. A true and correct copy of the Consent Order and Stipulated Injunction in *Pfizer et al. v. Ranbaxy et al.*, C.A. No. 08-cv-164-JJF, entered June 20, 2008, in the District of Delaware, is attached hereto as Exhibit D.

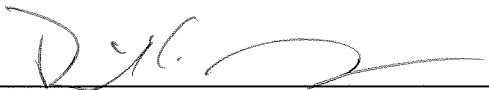
6. A true and correct copy of the Consent Order and Stipulated Injunction in *Pfizer et al. v. Ranbaxy et al.*, C.A. No. 07-cv-138-JJF, entered June 20, 2008, in the District of Delaware, is attached hereto as Exhibit E.

7. A true and correct copy of the Consent Order and Stipulated Injunction in *Pfizer et al. v. Ranbaxy et al.*, C.A. No. 08-cv-162-JJF, entered June 20, 2008, in the District of Delaware, is attached hereto as Exhibit F.

8. A true and correct copy of Plaintiff Pfizer’s Motion for Reconsideration of the Dismissal of Pfizer’s Motion to Dismiss Defendant Apotex’s Counterclaims for Failure to Prove a *Bona Fide* Offer of Confidential Access in *Pfizer et al. v. Apotex et al.*, C.A. No. 08-7231, filed July 14, 2010 in the Northern District of Illinois as D.I. 155, is attached hereto as Exhibit G.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed at Wilmington, Delaware, on July 17, 2010.

/s/ 
Daniel C. Mulveny, Esq.
CONNOLLY BOVE LODGE & HUTZ LLP
The Nemours Building
1007 North Orange Street
P.O. Box 2207
Wilmington, DE 19899
(302) 658-9141

Attorneys for *Plaintiffs Pfizer Inc., et al.*

793050

TABLE OF CONTENTS

<u>Document</u>	<u>Exhibit</u>
Addendum to the Brief in Support of Plaintiffs’ Motion to Stay in <i>Pfizer et al. v. Apotex et al.</i> , C.A. No. 08-7231 (N.D. Ill.) filed March 16, 2009	A
Printout of “Ranbaxy and Lipitor Settle Lipitor Patent Litigation Worldwide” published on Ranbaxy’s website.....	B
Printout of “Medicare Prescription Drug and Improvement Act Requires Drug Companies to File Certain Agreements with the Federal Trade Commission and U.S. Department of Justice” published on the FTC website.....	C
Consent Order and Stipulated Injunction in <i>Pfizer et al. v. Ranbaxy et al.</i> , C.A. No. 08-cv-164-JJF (D. Del.) entered June 20, 2008	D
Consent Order and Stipulated Injunction in <i>Pfizer et al. v. Ranbaxy et al.</i> , C.A. No. 07-cv-138-JJF (D. Del.) entered June 20, 2008	E
Consent Order and Stipulated Injunction in <i>Pfizer et al. v. Ranbaxy et al.</i> , C.A. No. 08-cv-162-JJF (D. Del.) entered June 20, 2008	F
Plaintiff Pfizer’s Motion for Reconsideration in <i>Pfizer et al. v. Apotex et al.</i> , C.A. No. 08-7231 (N.D. Ill.) filed July 14, 2010.....	G

CERTIFICATE OF SERVICE

I, Jeffrey M. Drake, caused to be served a copy of the foregoing:

DECLARATION OF DANIEL C. MULVENY ESQ. IN SUPPORT OF PLAINTIFF
PFIZER'S OPPOSITION TO APOTEX INC. AND APOTEX CORP.'S
MOTION TO COMPEL DISCOVERY

by filing same with the Clerk of the Court using the CM/ECF system which will send electronic notification of such filing to the following counsel of record:

William A. Rakoczy
Andrew M. Alul
Rakoczy Molino Mazzochi Siwik, LLP
6 West Hubbard Street
Suite 500
Chicago Illinois 60654

Attorneys for Defendants Apotex Inc. and Apotex Corp.

/s/Jeffrey M. Drake